

REMARKS

This Amendment is filed in response to the non-final Office Action dated August 29, 2008, and is respectfully submitted to be fully responsive to the rejections raised therein. Accordingly, favorable reconsideration on the merits and allowance are respectfully requested.

In the present Amendment, the specification has been amended to correct printing errors in the structures of Formulae (2), (5) and (6) and (102) - (106). Particularly, the bond, -Q- in the top portion of the structure of Formula (2) should be a double bond represented by “-Q=”. The structures of Formulae (5) and (6) on pages 8 and 9 have been amended to reflect structures having two double bonds in the ring comprising the X^1 -M- X^2 moiety, to have two ligands and to correct the bond between M and X^1 . The structures of Formulae (102)-(106) were amended to correct the bonds in the ring moiety.

Claims 4, 6, 8, 10, and 12 were amended to correct the typographical errors listed in paragraphs 8-17 on pages 4 and 5 of the Office Action.

Furthermore the structures of Formulae (5) and (6) in claims 10 and 12 were amended by to represent compounds having two ligands instead of three. Support for these amendments can be found in the specification on pages 43-45, for example.

Claim 14 has been amended to recite an organic host material and to further recite that the organic field light emitting device is a phosphorescent light including a phosphorescent organic guest material. Support for this amendment can be found in the specification on page 4 at lines 11-20, for example.

No new matter has been added. Entry of the Amendment is respectfully submitted to be proper. Upon entry of the Amendment, claims 1-14 will be all the claims pending in the application.

I. Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 1-3 and 5 are allowable.

II. Response to Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 10-13 are rejected under 35 U.S.C. § 112, first paragraph, as assertedly failing to comply with the enablement requirement. According to the Examiner, claims 10-13 contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Particularly, the Examiner's position is that claims 10-13, directed to an organic electroluminescence device, assertedly lacks enablement because the specification lacks sufficient support for the entire scope of Formulae (5) and (6). Specifically, according to the Examiner, there is only sufficient support in the specification for the compounds of Formulae (5) and (6) wherein M represents iridium and wherein the iridium complexes of Formulae (5) and (6) have two primary ligands instead of three ligands.

Applicants traverse in view of the amendment to claims 10 and 12 and in view of the following remarks.

First, Formula (5) according to claim 10 and Formula (6) according to claim 12 have

been amended whereby the Formulae (5) and (6) have two primary ligands. Next, Applicants submit that claims 10 and 12, as amended, are enabled and therefore, one reasonably skilled in the art could make or use the invention from the teachings of the disclosure in the patent coupled with information known in the art without *undue* experimentation. The structures of Formulae (5) and (6) are described on pages 8 and 9 of the present specification. Also, according to the general description of these structures, M may represents a metal. Although, the examples of guest materials of Formulae (5) and (6) include compounds 102-106, which are directed to iridium complexes and compounds having two ligands, Applicants are not limited to their embodiments.

Claim 11 depends from claim 10 and claim 13 depends from claim 12 and therefore these claims are also enabled. Accordingly, Applicants request that the rejection of claims 10-13 be withdrawn.

III. Response to Section 112, Second Paragraph Rejection and Claim Objection

Claims 6-13 are rejected under 35 U.S.C. § 112, second paragraph, as assertedly being indefinite. Furthermore, claims 4 and 6 were objected to for informalities. Particularly, at paragraphs 8-17 on pages 4 and 5 of the Detailed Action, the Examiner lists informalities and typographical errors in claims 6-13 which are the bases for the rejection and/or objection.

Applicants respectfully request that the rejection and objection be withdrawn in view of the amendment to the claims which correct the typographical errors and informalities.

IV. Response to Objection of the Specification

The Examiner has required that the specification be amended to correct a typographical error. Specifically, the Examiner asserts that the ring moiety containing the group $-X^2-M-X^1-$ in Formulae (5) and (6) should contain two double bonds.

Applicants respectfully request that the objection be withdrawn in view of the amendments to the specification which correct the typographical errors indicated by the Examiner.

V. Response to Rejection Under 35 U.S.C. § 103(a) Based on Van Slyke and Shunk

Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,150,006 (Van Slyke) in view of Shunk *Journal of the American Chemical Society*, vol. 71(12), **1949** (Shunk).

Applicants traverse in view of the amendment to claim 14 and in view of the following remarks.

The Examiner has asserted that Shunk discloses the synthesis of a substituted phenolic compound, e.g., 6-phenyl-2-naphthol (XI). The Examiner has further asserted there is a general teaching by Van Slyke that the phenolate ligand Q-L in the material $(R^5-Q)_2-Al-Q-L$, should contain from 7-18 carbons, as shown in PC-1, lines 1-3 in column 12, bis(2-methyl-8-quinolinolato)(phenolato) aluminum (III); PC-7, lines 11-21 in column 13, bis(2-methyl-8-quinolinolato)(p-phenylphenolato) aluminum (III); and PC-18, lines 11-24 in column 15, bis(2-methyl-8-quinolinolato)(2-naphtholato) aluminum (III).

The Examiner's position is that, based on Van Slyke's teaching, it would have been obvious to one of ordinary skill in the art to synthesize the structure shown in claim 14 with the intent of improving stability by increasing the size of the phenolate ligand.

In contrast, it should be noted the present invention claimed in claim 14 is made in the basis of discovery of an organic host material of Formula (1) for an organic electric field phosphorescent light emitting device including a phosphorescent organic guest material, as certified by Tsuji's Declaration under 37 C.F.R. §1.132 already submitted, which demonstrates that claimed invention, as the organic host material, produces unexpectedly superior results over Van Slyke's EL devices. The present organic host material of Formula (1) has an unexpectedly superior phosphorescent luminance and half-life durability in comparison with similar bis(2-methyl-8-quinolinolato)aluminum chelates disclosed in Van Slyke in the organic electric field phosphorescent light emitting device.

Regardless of synthesizing the structure shown in claim 14, Applicants assert that the presently claimed invention of claim 14 is unobvious over Van Slyke even in the face of Shunk, and requests that the rejection under 35 U.S.C. § 103 be reconsidered and withdrawn. Any artisan cannot presume the unexpectedly superior results of material synthesized on the basis of teachings of Van Slyke and Shunk as certified by Tsuji's Declaration under 37 C.F.R. § 1.132.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Sunhee Lee/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Sunhee Lee
Registration No. 53,892

WASHINGTON OFFICE

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CUSTOMER NUMBER

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